

STATE OF MICHIGAN  
DEPARTMENT OF LABOR AND ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of the Office of Financial and Insurance Services

Office of Financial and Insurance Services

Petitioner

Enforcement Case No. 05-3694

Thomas F. Schupra  
System ID No. 0075660

Respondent

For the Petitioner:

Tracy Post (P62602)  
Office of Financial and Insurance Service  
611 W. Ottawa, 3<sup>rd</sup> Floor  
Lansing, MI 48933  
(517) 373-2887  
FAX (517) 241-3953

For the Respondent:

Thomas F. Schupra  
6226 Country Ridge Drive  
Troy, MI 48098

Issued and entered  
on 30 January, 2007  
by Frances K. Wallace  
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. Findings of fact and conclusions of law

1. At all pertinent times, Thomas F. Schupra ("Respondent"), system I.D. no. 0075660, was a licensed resident producer authorized transact insurance in the State of Michigan with qualifications in Casualty, Life, Accident and Health.

2. As a licensed resident producer, Respondent knew, or had reason to know, that Section 1239(1)(h) provides that the commissioner may place on probation, suspend, and revoke an insurance producer's license for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.
4. Respondent charged and collected unauthorized fees from applicants/insureds. Respondent stated these fees were for "special circumstances" or "extra special service."
5. Respondent charged unauthorized fees of \$55 to numerous clients during his association with the Wayne/Oakland Agency.
6. By charging these unauthorized fees of \$55 the Respondent engaged in fraudulent and dishonest practices in the business of insurance, violating Section 1239(1)(h) of the Michigan Insurance Code.
7. In order to bring this matter to a conclusion, the parties have agreed to stipulate to the entry of an order, wherein Respondent will pay a civil fine of \$1,000 and pay restitution to the consumers. The status of the Respondent's insurance producer license will be unchanged as a result of this settlement.

## **B. ORDER**

Based on the findings of fact and conclusions of law above and Respondent's stipulation, it is ORDERED that:

1. Respondent shall refrain from charging any unauthorized or additional fees to insurance clients. Respondent will also refrain from creating billing statements to clients which contain "special" or "extra" fees. Respondent shall adhere to and abide by all relevant sections of the Michigan Insurance Code, MCL 500.100, et. seq.
2. Respondent shall pay a civil fine or penalty of \$1,000.00.
3. Respondent shall pay restitution to the insurance clients who were charged the \$55 fee.
4. OFIS will close the pending enforcement file.

A handwritten signature in dark ink, reading "Frances K. Wallace", written over a horizontal line.

Frances K. Wallace  
Chief Deputy Commissioner